



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE: **C-1**

October 7, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS
(SUPERVISORIAL DISTRICT 1)
(3 VOTES)**

SUBJECT

This action is to award public works construction contracts and authorize the Acting Director of Public Works to execute contracts with the contractors for work involving strengthening bridges and reconstructing pavement in the City of Pomona and in the unincorporated community of East Los Angeles.

IT IS RECOMMENDED THAT YOUR BOARD:

Award and authorize the Acting Director of Public Works or his designee to prepare the construction contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractors for the following:

- Project ID No. RDC0014375 - Garey Avenue under Union Pacific Railroad, et al., to seismically strengthen two bridges, City of Pomona (1), to 4-Con Engineering, Inc., in amount of \$385,705.00.

- Project ID No. RDC0015022 - 3rd Street - Record Avenue to Woods Avenue, to reconstruct asphalt pavement, construct curb and gutter, sidewalk, curb ramps, cross gutters, bus pads, catch basin modifications, landscaping and irrigation systems; and install striping and pavement markings, in the unincorporated community of East Los Angeles (1) to Sully-Miller Construction Company, in amount of \$3,411,736.24.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to obtain your Board's approval to award these construction contracts and authorize the Acting Director of Public Works or his designee to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

See attachments as follows for each project. The attachment for each project includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also attached including an addendum to the contract specifications for Project ID No. RDC0014375.

- Project ID No. RDC0014375 - sheets 1A and 1B
- Project ID No. RDC0015022 - sheets 2A and 2B

The recommended construction contracts are necessary to execute Board-directed and approved Department of Public Works (Public Works) projects in support of operational missions. Your Board's approval of the recommended contract awards and the subsequent execution of the contracts will ensure the timely completion of the projects.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Service Excellence (Goal 1) and Community Services (Goal 6). Awarding these contracts will provide improved infrastructure to better serve the public and will enhance the quality of life in the affected communities.

FISCAL IMPACT/FINANCING

These actions will have no impact to the County General Fund.

The attachment for each project includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

Sufficient funds for Project ID No. RDC0014375 are included in the First Supervisorial District's Road Construction Program in the Fiscal Year 2008-09 Road Fund Budget.

Sufficient funds for Project ID No. RDC0015022 are included in the Fiscal Year 2008-09 First Supervisorial District's Proposition C Local Return Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract agreements will be in the form previously reviewed and approved by County Counsel. The recommended contracts were solicited on an open competitive basis and are in accordance with applicable Federal, State, and County requirements. The contractors are in compliance with the Chief Executive Officer's and your Board's requirements.

These contracts contain terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to the lowest responsive and responsible bidder, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation, including, but not limited to licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contracts are awarded to the lowest responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by each respective contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

Each of these projects was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the attachment for each project.

CONTRACTING PROCESS

The contracts were solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

Public Works will review and approve the faithful performance and payment bonds filed by the contractors.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

These construction contracts will result in improved public works infrastructure in the communities where the work is scheduled.

The Honorable Board of Supervisors
October 7, 2008
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CONCLUSION

Please return one adopted copy of this letter to Public Works, Construction Division.

Respectfully submitted,


DEAN D. EFSTATHIOU
Acting Director of Public Works

DDE:JTS:en

Attachments (2)

c: Chief Executive Office (Lari Sheehan)
County Counsel
Office of Affirmative Action Compliance

AWARD OF CONTRACT
October 7, 2008

PROJECT ID NO. RDC0014375 - GAREY AVENUE UNDER UNION PACIFIC
RAILROAD, ET AL. (City of Pomona), Supervisorial District 1

TYPE OF WORK: Seismic strengthening of two existing bridges.

CALL FOR BIDS DATE: July 1, 2008 (Agenda Item 46)

BID OPENING DATE: July 29, 2008

BID SUMMARY:

Low	*4-Con Engineering, Inc., a corporation 2751 Avalon Street Riverside, California 92509 (951) 222-2241	\$385,705.00
2	Abbott Contracting & Engineering, Inc.	\$420,165.00
3	+Olivas Valdez, Inc.	\$441,610.00
4	John S. Meek Company, Inc.	\$565,175.00
5	G. B. Cooke, Inc.	\$608,800.00
6	Peterson-Chase General Engineering Construction, Inc.	\$654,350.00

*MWBE
+LSBE

Bonadiman-McCain, Inc., submitted a bid in the amount of \$389,998.00; however, they did not have a properly completed bid bond as required. Therefore, their bid was considered nonresponsive and rejected as provided in the Instructions to Bidders.

FINANCIAL INFORMATION:

Amount of estimate	\$412,170.00
Amount of recommended contract	\$385,705.00
Amount of recommended contract below estimate	\$ 26,465.00

The amount of the recommended contract is 6.4 percent below the estimate.

This project is entirely within the City of Pomona. This project will be administered under the Highway Bridge Program covered by Agreement 76078 with the State of California. Under this program, Federal funds allocated to local agencies are used to finance 88.53 percent of the qualifying costs of bridge seismic retrofit projects. The remaining 11.47 percent of the cost of the project will be financed with State Proposition 1B funds. Funding for this project is included in the First Supervisorial District's Road Construction Program in the Fiscal Year 2008-09 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

4-Con Engineering, Inc., has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

On March 20, 2007, Agenda Item 40, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

The project is to be completed in 70 working days. It is estimated the work will start in December 2008 and be completed in April 2009.

RE:en

AWARD OF CONTRACT
October 7, 2008

PROJECT ID NO. RDC0015022 - 3RD STREET - RECORD AVENUE TO WOODS AVENUE (in the unincorporated community of East Los Angeles), Supervisorial District 1

TYPE OF WORK: Reconstruction and resurfacing of asphalt pavement; construction of curb and gutter, sidewalk, curb ramps, cross gutters, bus pads, catch basin modifications, landscaping, and irrigation systems; and installation of striping and pavement markings

CALL FOR BIDS DATE: July 1, 2008 (Agenda Item 47)

BID OPENING DATE: July 29, 2008

BID SUMMARY:

Low	Sully-Miller Contracting Company 1100 East Orangethorpe Avenue, Suite 200 Anaheim, California 92801 (714) 578-9600	\$3,411,736.24
2	All American Asphalt	\$3,557,945.00
3	Alliance Streetworks, Inc.	\$3,949,896.88
4	Excel Paving Company	\$4,137,338.45
5	Gentry Bros, Inc.	\$4,376,911.45
6	+A.M. Classic Construction, Inc.	\$4,453,939.80

+LSBE

FINANCIAL INFORMATION:

Amount of estimate	\$4,805,710.16
Amount of recommended contract	\$3,411,736.24
Amount of recommended contract below estimate	\$1,393,973.92

The amount of the recommended contract is 29 percent below the estimate.

This project is included in the Fiscal Year 2008-09 Proposition C Local Return Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Sully-Miller Contracting Company has four MWBE subcontractors/suppliers under this contract yielding a proposed MWBE utilization of 9 percent.

ENVIRONMENTAL IMPACT:

On July 1, 2008, Agenda Item 47, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 185 working days. It is estimated the work will start in December 2008 and be completed in September 2009.

JFG:en